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**SMITH HOPEN**  
**INTELLECTUAL PROPERTY LAW**180 Pine Avenue North, Oldsmar FL 34677  
(813) 925-8505 Tel (813) 925-8525 Fax**Fax****I N T E L L E C T U A L   P R O P E R T Y**  
**L A W**

To:	U.S. Patent & Trademark Office	From:	Robert Varkonyi
Attn:	Taeyoon Kim – Art Unit 1651	Client:	1372.129.PRC
Fax:	(571) 273-8300	Pages:	18 including coversheet
Phone:	(571) 272-9041	Date:	August 31, 2009
Re:	USPN 10/777,425	CC:	University of South Florida

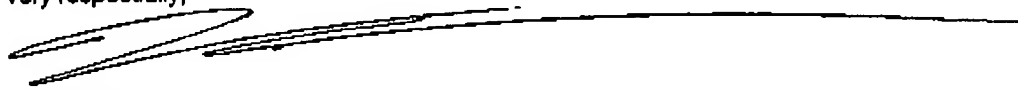
☐ Urgent    ☒ For Review    ☐ Please Comment    ☐ Please Reply    ☐ Please Recycle

Dear Examiner Kim:

In response to the non-final office action mailed April 29, 2009, we enclose the following:

- 1) Amendment Transmittal with Certificate of Facsimile Transmission under 37 CFR 1.8(a) dated August 31, 2009 - (2 pages);
- 2) Amendment E with Certificate of Facsimile Transmission under 37 CFR 1.8(a) dated August 31, 2009 - (12 pages);
- 3) Petition and Fee for Extension of Time under 37 C.F.R. 1.136(a) – (2 pages);
- 4) Credit Card Payment Form PTO-2038 in the amount of \$65.00 (1 page).

Very respectfully,

Robert Varkonyi  
USPTO Reg. No. 63,885

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AUG 31 2009

Docket No. 1372.129.PRC

**PATENTS**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Sanberg, P. et al. )

Serial No.: 10/777,425 )

Filed: 02/12/2004 )

For: Compositions and Methods for Using )  
Umbilical Cord Progenitor Cells in the )  
Treatment of Myocardial Infarction )

Art Unit: 1651

Examiner: Kim, Taeyoon

Confirmation: 4329

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**AMENDMENT TRANSMITTAL**

1. Transmitted herewith is an amendment for this application.

**STATUS**

2. Applicants are an independent inventors.

**EXTENSION OF TERM**

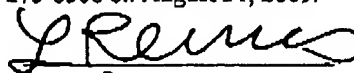
3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicants believe that an extension of term is required. Petition and fee are included herewith.

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**CERTIFICATE OF FACSIMILE TRANSMISSION**  
(37 C.F.R. 1.8)

I HEREBY CERTIFY that this communication, is being transmitted by facsimile to the United States Patent and Trademark Office, Art Unit 1651, Attn: Taeyoon Kim, (571) 273-8300 on August 31, 2009.

Dated: August 31, 2009

  
Lauren Reeves

(Amendment Transmittal—page 1)

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003/018

**FEE FOR CLAIMS**

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

(Col. 1)		(Col. 2)		(Col. 3) SMALL ENTITY	
Claims Remaining After Amendment		Highest No. Previously Paid For		Present Extra	Addit. Fee
Total	22	Minus	22	= 0	x \$26 = \$0
Indep.	3	Minus	3	= 0	x \$110 = \$0
First Presentation of Multiple Dependent Claim				+ \$140 =	\$0
				Total	
				Addl. Fee	\$0

- \* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.
  - \*\* If the "Highest No. Previously Paid For" IN THIS SPACE (Column 2, Row 1) is less than 20, enter "20".
  - \*\*\* If the "Highest No. Previously Paid For" IN THIS SPACE (Column 2, Row 2) is less than 3, enter "3".
- The "Highest No. Previously Paid For" (Total or Indep.) is the highest number found in the appropriate box in Col. 1 of a prior amendment or the number of claims originally filed.

No additional fee for claims is required.



**SIGNATURE OF PRACTITIONER**

Reg. No. 63,885  
Tel. No.: (813) 925-8505

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Oldsmar, Florida 34677

(Amendment Transmittal—page 2)